C.S.300 (7) (1)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR
CHHATTISGARH
W.P. NO. 1686/2004

PETITIONER :

1. Rajendra Chaoursia, Aged about 29 years, S/o Late Shri Shrinath Chourasia, R/o Kotra Road, Hirapur, Distt. Raigarh C.G.

2. Udhaw Lal Sao, aged about 30 years, S/o Late Shri Setu Ram Sao, R/o Gram Aurda, Kondatarai, Distt. Raigarh C.G.

3. Lochan Prasad Chowan aged about 28 years, S/o Late Jagat Ram Chowan, R/o Kondatarai, Block Pusour, Distt. Raigarh C.G.

P. R. No. 1669/04
Presented by Shri Ajay Dwivedi
dated 21-6-04

VERSUS

RESPONDENTS

1. State of Chhattisgarh Through the Priincipal Secretary Department of General Administration, Mantralaya, D.K.S. Bhawan, Raipur C.G.

2. The Secretary School Education Department, Mantralaya D. K. S. Bhawan, Raipur C.G.

3. District Education Officer, Raigarh District Raigarh C.G.

4. The Collector Raigarh Distt. Raigarh C.G.

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21-6-04
Clerk to A. G. Bilaspur

कपथ आयुक्त
एस.के. शर्मा
बिलासपुर तहसील कोर्ट
19/8/04

(8)

(2)

PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRITS OF MANDAMUS AND CERTIORARI AND FOR OTHER SUITABLE WRITS AND DIRECTIONS:-

XI-HC-22

55

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No.1686/2004 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

07.07.2004

Shri Sandeep Dubey, counsel for the petitioners.

State by Akhil Agrawal, Panel Lawyer.

Application for urgent hearing is allowed.

Heard.

Counsel for the petitioners relied on an order dated 01.10.2003 passed by a Division Bench of High Court of Madhya Pradesh in W.P.No.3459/2002 and submits that this case is squarely covered with the said case. The petitioners' fathers died in harness. Taking into consideration the Scheme in vogue, the petitioners were appointed as Shiksha Karmis, Grade-III. The similarly situated persons approached the State Administrative Tribunal for getting the posts of Assistant Teachers and thereafter the High Court of Madhya Pradesh passed the order dated 01.10.2003. He also produced a copy of the order dated 10.5.2004 passed in similar W.P.No.724/2004 (Sarfraz Nawaz Ahmed & another –vs- State of Chhattisgarh and others). Counsel for the petitioners prays for similar orders.

Not opposed.

Having considered the facts and circumstances of the case and material on record, the appointments which were offered to the petitioners were in consonance with the Scheme which was in vogue at the time of appointments. If any other Scheme is formed at a later stage of time, the petitioners cannot claim benefit under the said scheme. That apart the petitioners put forth their claim for higher posts. Needless to emphasis that if the petitioners eventually qualify under the said Scheme, their cases will be considered for the aforesaid posts in accordance with law.

With the aforesaid observations, the petition stands disposed of.

Consequently, M.W.P.No.1502/2004 stands disposed of.

C.C. as per rules.

Sd/-
Fakhruddin
Judge

Rs 0/-

[पीछे देखिये